

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TRUSTEES OF THE OPERATING ENGINEERS
PENSION TRUST, et al.,)
Plaintiffs,)
vs.)
MAUI ONE EXCAVATING, INC., et al.,)
Defendants.)

Case No. 2:12-cv-00338-KJD-NJK

**ORDER DISCHARGING
ORDER TO SHOW CAUSE
WHY DEFENDANTS SHOULD
NOT BE SANCTIONED
(Docket No. 28)**

On February 22, 2013, the Court hereby ordered Defendants Maui One Excavating, Inc., Paitaka Miyahira and Tasey Miyahira to show cause in writing why the Court should not issue sanctions against them for failure to comply with a Court order. *See* Docket No. 28. In response to a separate order to show cause, Defendants' attorney of record, Gary Branton, indicated that he failed to notify Defendants of the Court's order. *See* Docket No. 30 at 2.¹ Accordingly, the Court hereby DISCHARGES the February 22, 2013 order to show cause with respect to Defendants.

Mr. Branton is ordered to notify Defendants immediately of this discharge order and to file a proof of service.

IT IS SO ORDERED.

DATED: February 26, 2013.

NANCY J. KOPPE
United States Magistrate Judge

¹ The Court will address in a separate order the Second Order to Show Cause addressed to Mr. Branton. See Docket No. 29.